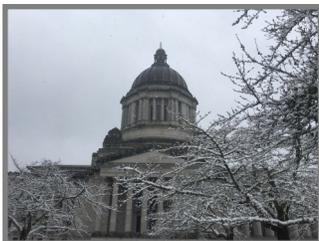


**Week 7:
February 25, 2018**

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Snow this week in Olympia made for treacherous and chilly travels to committee meetings!

“In the realm of ideas everything depends on enthusiasm...
in the real world all rests on perseverance.”

~Johann Wolfgang von Goethe, 18th Century German writer/statesman

Note: On mobile devices, some hyperlinks to TVW archived recordings may not link to the exact location indicated.

SESSION CONTEXT & THE WEEK AHEAD

Today marks day 49 of the 2018 Legislative Session. With only 11 days remaining, a lot was accomplished this week and the coming weeks will prove to be busy-as-ever as we approach the final count-down to Sine Die on March 8th. This week was a busy one with the House and Senate releasing both their supplemental operating and capital budget proposals and policy committees scrambling to hear and act on bills before the final policy cut-off that occurred Friday, 2/23.

With regard to the budgets, it is important to remember that supplemental budgets are meant to address gaps in the two-year budget adopted in the previous legislative session (in the case of the capital budget, the 2017-19 budget was actually adopted this session). To understand some of the background context behind the budget proposals check out:

- [Senate Democratic Caucus Budget News Conference](#), 2/19/18 (includes briefing on the Senate's supplemental and capital budget proposals)
- [House Democratic Caucus Budget News Conference](#), 2/20/18

In addition, the [Republican Leadership Media Availability](#) this week (2/20) provided greater insights into the sticky issues under negotiation in the next two weeks. Specifically, leaders discussed the various approaches to meeting the Supreme Court's order to fully fund educator salaries starting in the 2018-19 year, efforts to bring property tax relief, and their commitments to finding ways to address school safety.

Finally, over the past couple of weekends, many legislators have hosted in-person or virtual Town Hall meetings. Hopefully you were able to attend! Even if you weren't, it is important to continue to stay connected to your policy makers as they navigate the bills and issues that remain "alive" in the coming 11 days. Many amendments will be proposed and legislators need to understand the impacts their vote will have on school districts. The [Bill/Issue Updates](#) section of this report provides insight into a few of the bills and issues that are still alive and WSSDA's comprehensive [Bill Watch List](#) (updated 2/24) provides a full listing of bills and their status.

Final milestones in the 2018 Legislative Session:

- **February 26**—Fiscal committee cutoff (opposite house)
- **March 2** — Last day to consider opposite house bills (except budgets and matters NTIB and differences between the houses)
- **March 8** — Last day of regular session

Week 8 Schedule:

Following final fiscal committee action on Monday, most action will be on the House and Senate Floors. Check out their calendars: [House](#) [Senate](#)

BILL/ISSUE UPDATES

Friday, 2/23 marked the second important policy bill cut-off where bills had to be voted out of their second policy committee in order to really stay alive. These bills were either referred to the appropriate fiscal committee or to Rules for next steps. Though, it is important that bills are only ever technically "dead" if they are voted down by the House or Senate; or if, by December 31 of the second year of the biennial session (in this case, by 12/31/18), they do not become law.

Monday, 2/26 marks the second fiscal cut-off for bills assigned to fiscal committees be voted on, unless they are considered Necessary to Implement the Budget (NTIB).

[Click here](#) for a look at the schedule for next week and the following pages for an update on select bills from each of WSSDA's position categories. It is important to note that several bills currently are still awaiting potential action in the opposite house's fiscal committee. WSSDA's [Bill Watch List](#) provides a comprehensive status update.

LEARNING

⇒ [ESHB 1046](#) - Concerning certificates of academic and individual achievement. This bill decouples the current requirement for students to pass the high school assessments for English language arts, mathematics, and science in order to graduate.

Status: Though some might say the bill is "dead" is it important to note that it does provide some cost savings to the overall budget and therefore could be considered NTIB. Rumors are out and about that this bill could still be voted on by the House and fast-tracked in the Senate to the floor for a vote.

Bill/Issue Updates, LEARNING continued...

- ⇒ [SSB 5766](#) - Preventing harassment, intimidation, bullying, and discrimination in public schools. The bill requires school districts to adopt or amend a transgender student policy and procedure; directs school districts to designate a primary contact for the policy; and requires OSPI to develop training support for school personnel to implement the policy.
Status: The House Education Committee amended this bill to make more intentional connections between district Anti-Harassment, Intimidation, and Bullying; Non-discrimination; and Transgender policies and procedures. The bill was assigned to [the House Rules Committee](#) to await being pulled for floor action.

- ⇒ [ESSB 6065](#) - Adopting policy and procedures on student interviews and interrogations. Originally this bill required districts to adopt a policy and procedures for interviews and interrogations of students on school grounds that meet minimum requirements. Thursday, 2/22, the House Education Committee [amended this bill](#) to remove the requirement and to direct WSSDA to convene an advisory committee to review the 2013 model policy and procedure, update it, and report back to the Legislature.
Status: The bill has been referred to [the House Rules Committee](#) to await being pulled for floor action.

- ⇒ [SHB 1060](#) - Concerning the administration of marijuana to students for medical purposes. The Senate Early Learning & K-12 Education Committee adopted a striking amendment that removes several of the concerning provisions from the original bill and includes a provision intended to protect school districts concerned about the potential loss of federal funding as a result of allowing medical marijuana to be administered.
Status: The bill has been referred to the [Senate Rules Committee](#) to await being pulled for floor action.

One bill of interest that did not make it past the 2/23 policy cut-off:

- ⇒ [2SSB 6410](#) - Concerning school safety. The bill includes funding for two school safety centers housed in Eastern and Western ESDs, and establishes requirements for communications between first responders and private schools. Though the bill may be dead, there have already been several budget provisos proposed that would address the provisions in the bill and move forward with greater supports to districts with school safety planning and communications. Stay tuned on this issue!

TEACHERS & ADMINISTRATORS

- ⇒ [E4SHB 1827](#) - **Educator workforce supply.** This bill contains provisions that address expanding the current and future educator workforce supply to improve and incentivize the recruitment and retention of highly effective educators, especially in high-need subject, grade-level, and geographic areas, and to establish a cohesive continuum of high quality professional learning from preparation programs to job embedded induction, mentoring, collaboration, and other professional development opportunities. Tuesday, 2/20, the Senate Early Learning & K-12 Education Committee hosted a work session and public hearing on the bill. Rep. Sharon Tomiko Santos (Chair, House Education Committee) shared an [overview of the bill](#) (skip to [minutes 1 - 24 in the recording](#)); and representatives from OSPI, the [Professional Educator Standards Board](#) (PESB), and the [Washington Student Achievement Council](#) (WSAC) shared information about work underway to address the statewide teacher shortage (skip to [minutes 30:52 - 48 in the recording](#)).
Status: The Senate Early Learning & K-12 Education Committee amended the bill with a [couple of amendments](#) and it was voted out of the on Friday, 2/23. In addition to maintaining the primary components the bill now includes provisions to allow greater access to retirees to serve as substitutes, as well as efforts to facilitate greater ability for teacher colleges to place student teachers in rural schools. The Senate Ways & Means Committee hosted a public hearing on the bill Saturday morning, 2/24.

- ⇒ [ESSB 6241](#) - Concerning the January 1, 2020, **implementation of the School Employees' Benefits Board (SEBB) program.** This bill is necessary to address some of the technical "fixes" needed to assure smooth transitional efforts as the state moves to the SEBB.
Status: The bill received a public hearing Saturday, 2/24 in the House Appropriations Committee. It now awaits further action by the committee and a floor vote. There does not appear to be much concern about the bill as it now stands, so we anticipate its smooth progress.

- ⇒ **Professional learning time** - [ESSB 6362](#), along with the Senate's proposed supplemental operating budget (ESB 6032) further delays funding and phase-in of the **three professional learning days** allocated in EHB 2242 from 2018-19 to 2019-20. In addition, ESB 6032 reinstates a provision that was vetoed by the Governor out of EHB 2242 that puts limitations on **late start and early release days** as districts phase-in the professional learning days ([see Section 403 \(6\) of ESSB 6362 for details](#)).

CAPITAL FACILITIES & SCHOOL CONSTRUCTION

- ⇒ [SSB 6531](#) - Regarding the **school construction assistance program** (SCAP). This bill would enhance the funding "drivers" for the SCAP: the Construction Cost Allowance and the Student Space Allocation (square foot per student). Given the large cost of the bill, it has been amended to phase in the new funding formula over a longer period of time and focus early phase-in on grades K-6. This bill received a public hearing in the House Capital Budget Committee Monday, 2/19. School directors and students from Sequim and Port Angeles, as well as Seattle, provided compelling testimony in support of the bill. [Click here](#) for to hear the bill's overview from staff and the bill's prime sponsor, Senator Pedersen (Seattle) and the committee's discussion (minutes 5 - 27 in the recording). To skip ahead to the testimony check out to [minutes 27 - 60](#) in the recording. Unfortunately the committee has yet to schedule an executive session on the bill.



School Board Directors and students from Sequim, Port Angeles, and Olympia testify on SB 6531 in Monday's House Capital Budget Committee meeting

Continued on p.3...

Bill/Issue Updates, CAPITAL FACILITIES & SCHOOL CONSTRUCTION continued...

⇒ **Proposed supplemental capital budgets:** Both the House and Senate presented their proposed supplemental capital budgets this week. Since the main biennial budget for 2017-19, it was important for these to be “true” supplemental budgets with not a lot of new “stuff”. The Senate adopted their budget Friday, 2/23. The House budget is still awaiting floor action. Here’s a comparison:

Senate (ESSB 6095)	House (PSHB 2395)
<ul style="list-style-type: none"> • Add'l \$51.3 million to SCAP for projects not accounted for in the full two-year budget. • Add'l \$9 million to distressed school funding for Chief Leschi auditorium, Frantz H Coe elementary (Seattle), Glacier site middle school (Highline) • Add'l \$6 million for small rural district modernization grants to districts beyond the districts identified in the two-year budget. 	<ul style="list-style-type: none"> • Add'l \$42.9 million to SCAP state match based on July 2017 release and anticipated release in July 2018. • Add'l \$14 million to distressed school funding for Toledo Gym and Frantz H Coe (Seattle).

FUNDING & ALLOCATIONS

- ⇒ **State revenue and property tax relief** – With the [positive revenue forecast](#) from last week, many bills are in play regarding state revenue and efforts to bring property tax relief to taxpayers. These include [SHB 2967](#) (capital gains tax/property tax relief); [2SSB 6203](#) (carbon tax); and [SSB 6614](#) (property tax relief for common schools). Other bills, such as [SB 6525](#) (school levies and property tax reform), have been introduced but have not made much progress. However since this issue may be considered NTIB, all bills and policy ideas are still on the table.
- ⇒ **Proposed supplemental operating budgets** – This week both the House and Senate budget committees hosted public hearings on their respective supplemental operating budget proposals on Tuesday, 2/20, and voted them out of committee Wednesday, 2/21 after deliberation on many committee amendments. The Senate deliberated and adopted their budget (SSB 6032) Friday, 2/23. Full details on the various amendments proposed on the floor can be [found here](#) (scroll to the bottom of the page). The House also began deliberations on their budget ([SHB 2299](#)) but did not make it through the long list of proposed amendments. Debate is anticipated to continue when the House resumes floor action next week. [Washington State’s Fiscal Information Web site](#) is an important “go-to” resource as [Senate](#) and [House](#) budgets are proposed and adopted. [Click here for a side-by-side comparison](#) of the two budgets as they relate to transitioning to the new basic education funding per EHB 2242.

GOVERNANCE

- ⇒ [ESHB 2311](#) – **Reducing barriers to student participation in extracurricular activities.** The Senate Early Learning & K-12 Education Committee amended the bill in committee on Friday, 2/23 to adjust the state-mandated fee structure for extracurricular activity fees as was in the original bill. Instead, the [amended bill](#) as it has been referred to the Senate Ways & Means Committee: Replaces provisions relating to fee collection with language that requires public high schools to: (1) Have identical processes for charging and collecting fees for all students; (2) Make efforts to automatically charge discounted fee rates for eligible students; and (3) Make every effort to streamline fee collection processes and increase participation. Though the bill has been referred to Ways & Means, it has yet to be scheduled for a hearing
- ⇒ [ESB 6002](#) – **Washington Voting Rights Act** (WVRA) was voted out of the House State Government Committee last week and is awaiting debate on the House Floor. Several amendments have been proposed (scroll to the bottom of the bill’s Web page). As districts seek to understand this ever-changing bill, it is important to review and react to the [most current version](#) of the bill as it was amended by the House State Gov’t Committee on 2/15. WSSDA continues to engage in offering amendments to address concerns and to improve the final bill.
- ⇒ [SHB 2824](#) - **Exchanging and aligning specific powers, duties, and functions of the superintendent of public instruction (OSPI) and the state board of education (SBE).** The Senate Early Learning and K-12 Education Committee voted this bill out of committee with minor amendments Thursday, 2/22. It is now awaiting action by the [Senate Rules Committee](#).

Deeper Dive: Trust Lands—Why do we care?



With this session’s spotlights on the capital budget, the school construction assistance program, and other issues related to trust lands management this session, you might be **wondering what’s all this chatter about trust lands, and why do we care?**

As school districts pass construction bonds, their access to the state match portion of their project through the school construction assistance program (SCAP) is “unlocked”. SCAP is funded in part by \$210 million from the Common School Construction Account. **Where does that money come from and why is it ours?**

On February 22, 1889, congress passed the law that allowed Washington, Montana and the two Dakotas to become states. This law is called the *Enabling Act of 1889*. Among other provisions, the *Enabling Act* granted certain portions of land for the benefit of certain purposes to the state of Washington. The largest land grant was to benefit the common schools.

Some common school trust lands have been sold and the proceeds placed in a “permanent fund” that produces interest income that is used for school construction. Some of the lands have been sold to buy other lands that produce additional income for school construction.

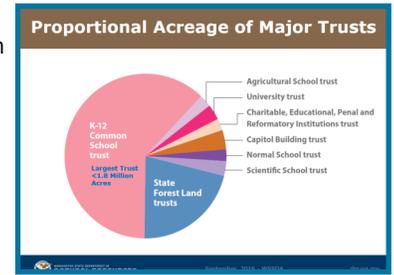
All state trust lands are managed by the Department of Natural Resources (DNR). The Board of Natural Resources (BNR) also provides oversight on the work of DNR. The Superintendent of Public Instruction is one of the six members of the BNR. But ultimately, the Legislature is responsible for ensuring the lands are managed with “undivided loyalty” for the benefit of common schools. This Trust is also specified in the State Constitution in Article XVI, School and Granted Lands. DNR’s responsibilities to prudent management of trust lands and its responsibilities to beneficiaries, such as K-12 schools, [can be found here](#).

Deeper Dive: Trust Lands—Why do we care? continued...

Most of the income from our trust lands comes from the harvest of timber. Some of it also comes from leasing lands for farm and commercial businesses. This session, questions have been raised about how well our lands are managed to produce income and whether there is undivided loyalty. Environmental interests want to reduce timber harvests in order to protect threatened species and habitat. Communities that are dependent on timber related businesses want greater harvests. But neither of those interest groups are a beneficiary of this constitutional trust. The test is whether the interests of the common schools are the only consideration in managing our lands.

[Engrossed Senate Bill 6140](#) seeks to answer this question and will be heard by the [House Capital Budget Committee](#) Monday the 26th. The bill requires DNR to estimate the value of different classes of our trust lands. WSSDA will be testifying in support of the bill and will be suggesting an amendment to calculate the rate of return on those land assets; require DNR to compare their rate of return with how other large public and private land managers do; and to require DNR to itemize lands that are not producing any income at all.

Improving income from our state’s trust lands is one of the ways to improve overall state funding of school construction. [WSSDA’s Trust Lands Task Force](#) has been a driving force for years in working with the Department of Natural Resources and the Legislature to assure public schools, as the largest beneficiary of state trust land revenue, are actively involved in informing policy decisions that impact the Common School Trust Account. [WSSDA’s legislative and permanent positions](#) provide a good snapshot of the deep interest school directors have in these issues, and [this short video provides](#) a great overview of the history of trust lands in the country. Without attention to growing and sustaining the trust, our requests for the state to meet its statutory requirement to fund 50% of the cost of school construction will be difficult to meet.



STAY CONNECTED

WSSDA and other education partners in the state are committed to developing and sharing resources to help our members learn about these issues and to communicate about them effectively.

WSSDA Resources:

- [WSSDA Legislative Updates & Bill Watch](#)
- [School Board Legislative Representatives](#)—Resources for Leg. Reps to help navigate the legislative process
- WSSDA’s [2018 Legislative Committee](#)



WA State Legislature

- [2018 Legislative Contact Roster](#) (updated 1/4/18)
- [Legislative Information Center](#)
- [Bill Information and Tracking](#) - and...comment on bills!

[TW](#) - TVW’s weekly programming is a great way to stay connected with broad legislative issues: *Inside Olympia*, *The Impact*, daily and weekly [Legislative Review](#), and live and archived recordings of committee hearings and work sessions.

Education Association Partner Legislative Priorities

- [Office of Superintendent of Public Instruction \(OSPI\)](#)
- [State Board of Education \(SBE\)](#)
- [Washington Association of School Administrators \(WASA\)](#)
- [Association of Washington School Principals \(AWSP\)](#)
- [Association of Educational Service Districts \(AESD\)](#)
- [Washington State Parent Teacher Association \(WSPTA\)](#)
- [Washington Education Association \(WEA\)](#)

UPCOMING EVENTS—MARK YOUR CALENDARS!

Every Friday through March 16: [Weekly Legislative Update webinars](#) for school board Leg. Reps.

March 15—April 30: WSSDA legislative position solicitation process (new and continuing positions)

September 21 & 22: WSSDA Legislative Assembly (Spokane)

Register Today!

March 31: [Policy Governance Networking Summit](#)

March—May: [WSSDA Spring Regional Meetings](#)

May 23: [WSSDA/WASA/AWSP Equity Conference: From the boardroom to the classroom](#)

